

**Draft
Environmental Assessment**

Sauerkraut Creek Instream Flow Lease

1/13/2017

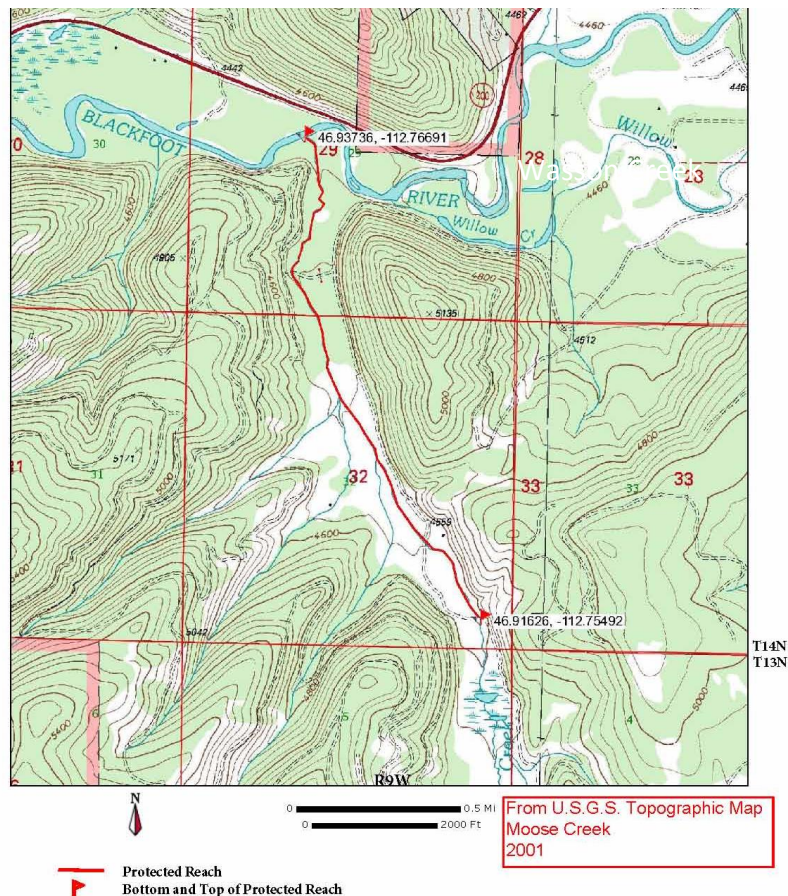


***Montana Fish,
Wildlife & Parks***

Draft Environmental Assessment CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of proposed state action: Administrative**
2. **Agency authority for the proposed action: Montana Fish, Wildlife & Parks**
3. **Name, address and phone number of project sponsor (if other than the agency)**
Trout Unlimited, Montana Water Project
321 E. Main Street no. 411
Bozeman, MT 59715
4. **Anticipated Schedule:**
Estimated Instream Flow Lease Commencement Date: 2017
Estimated Instream Flow Lease Completion Date: 2027
Current Status of Project: Agreement with landowner is completed. Lease needs to be approved by DNRC.
5. **Location affected by proposed action (county, range and township – included map):**
The project is located in Lewis & Clark County in Section 32, Township 14 North, and Range 9 West, southwest of Lincoln.



6. **Project size -- estimate the number of acres that would be directly affected that are currently:**

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(existing shop area)		Irrigated cropland	<u>75</u>
(b) Open Space/	<u>0</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
(c) Wetlands/Riparian	<u>0</u>	Rangeland	<u>0</u>
Areas		Other	<u>0</u>

8. **Permits, Funding & Overlapping Jurisdiction.**

(a) **Permits:** permits will be filed at least 2 weeks prior to project start.

<u>Agency Name</u>	<u>Permits</u>
DNRC	Water Right Change Application

(b) **Funding:**

<u>Agency Name</u>	<u>Funding Amount</u>
Future Fisheries Improvement Program	\$10,000.00
Trout Unlimited	\$11,354.80
Columbia Basin Water Transactions Program (CBWTP)	\$45,000.00
U.S. Fish and Wildlife Service (FWS)	\$20,000.00

(c) **Other Overlapping or Additional Jurisdictional Responsibilities:**

<u>Agency Name</u>	<u>Type of Responsibility</u>
DNRC	facilitates water resources issues

9. **Narrative summary of the proposed action:**

Sauerkraut Creek is a tributary to the Blackfoot River that supports populations of Westslope Cutthroat Trout and Bull Trout. Historically, the upper reaches of Sauerkraut Creek were severely modified by mining and the middle and lower reaches were impaired by irrigation withdrawals. Since 2008, Sauerkraut Creek has been the focus of stream restoration and conservation efforts—including three phases that were supported by the Future Fisheries Improvement Program—and the current project is a continuation of those efforts. This project would lease a minimum of 3.0 cfs, up to 9 cfs, in a split-season water rights lease to augment stream flow, especially during the low-flow season, for 20 years. The goal is to improve conditions for resident and migratory Westslope Cutthroat Trout and Bull Trout that are most significant during the low flow season.

10. **Description and analysis of reasonable alternatives:**

Alternative A: Fund the water lease and secure additional streamflow.

Alternative B: Do not fund the water lease and fail to legally protect instream flow.

11. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

The lease renewal will need to be approved by the DNRC after it conducts a 90 day review for adverse effect.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Geology and soil quality, stability and moisture				X		
2. Air quality or objectionable odors				X		
3. Water quality, quantity and distribution (surface or groundwater)				X		
4. Existing water right or reservation			X			X
5. Vegetation cover, quantity and quality				X		
6. Unique, endangered, or fragile vegetative species				X		
7. Terrestrial or aquatic life and/or habitats				X		
8. Unique, endangered, or fragile wildlife or fisheries species			X			X
9. Introduction of new species into an area				X		
10. Changes to abundance or movement of species				X		

4. Existing water right or reservation.

This project does not change water rights of other landowners. It does, however, secure an instream flow lease from one water user. The project is purely administrative, keeping water formerly used for irrigation within the stream.

8. Unique, endangered, or fragile wildlife or fisheries species.

This project will affect populations of Westslope Cutthroat Trout and Bull Trout, and the impacts are predicted to be positive. Because of the additional water retained in the stream, the project may provide significant improvements to spawning and rearing habitat within the Blackfoot River drainage. This project is the final stage of a multifaceted stream restoration and conservation effort on Sauerkraut Creek. Critical minimum flows would be secured for these federally recognized and Montana Species of Concern.

B. HUMAN ENVIRONMENT

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Noise and/or electrical effects				X		
2. Land use				X		
3. Risk and/or health hazards				X		
4. Community impact				X		
5. Public services/taxes/utilities				X		
6. Potential revenue and/or project maintenance costs				X		
7. Aesthetics and recreation				X		
8. Cultural and historic resources				X		
9. Evaluation of significance				X		
10. Generate public controversy				X		

PART III. NARRATIVE EVALUATION AND COMMENT

There are no anticipated cumulative effects.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners to comment on this current EA, the proposed action and alternatives:

- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.
- Comments will be accepted until 11:59 P.M. on February 12, 2017

This level of public notice and participation is appropriate for a project of this scope having limited impacts and is administrative in nature.

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? NO

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

We conclude, from this review, that the proposed activities will have an overall positive impact on the physical and human environment, and will therefore not require the extensive analysis associated with an EIS.

2. Person(s) responsible for preparing the EA:

Michelle McGree, Program Officer
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e-mail: mmcgree@mt.gov

3. List of agencies or offices consulted during preparation of the EA:

Trout Unlimited, Montana Water Project
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Helena, MT 59612